

ENTERED

May 18, 2023

Nathan Ochsner, Clerk

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

GLOBAL TUBING, LLC,

§

Plaintiff,

§

v.

§

§

Civil Action No. 4:17-cv-03299

TENARIS COILED TUBES, LLC and

§

TENARIS, S.A.,

§

§

Defendants.

§

§

AMENDED FINAL JUDGMENT

On October 30, 2017, plaintiff Global Tubing LLC (“Global”) sued defendants Tenaris Coiled Tubes, LLC and Tenaris, S.A. (“Tenaris”) for, among other things, declaratory relief. Since then, the parties have added certain claims and counterclaims. Global currently asserts claims for declaratory judgments of non-infringement, inequitable conduct, invalidity, and unclean hands as to U.S. Patent No. 9,803,256 (“’256 Patent”), U.S. Patent No. 10,378,074 (“’074 Patent”), U.S. Patent No. 10,378,075 (“’075 Patent”), as well as a claim for attempted monopolization under the Sherman Act, 15 U.S.C. §2. ECF 80. Tenaris currently asserts counterclaims against Global for infringement of the ’074 Patent, and ’075 Patent. ECF 119.

On August 5, 2022, the Court dismissed the Tenaris counterclaim of infringement of the ’256 Patent with prejudice. 8/5/2022 Minute Entry. In addition, the Court dismissed Global’s declaratory judgment claim 1 of inequitable conduct, claim 3 of inequitable conduct, claim 7 of non-infringement, and claim 9 of invalidity, all as to the ’256 Patent, all without prejudice. *Id.*

On October 7, 2022, the Court granted summary judgment in favor of Tenaris as to Global’s Sherman Act claim. 10/7/2022 Minute Entry.

On March 17, 2023, the Court granted summary judgment in favor of Global based on the unenforceability of the '256, '074 Patent, and '075 Patent. ECF 567. In addition, the Court dismissed all other pending motions of the parties without prejudice.

All pending issues before the Court have been resolved or are now moot.

Therefore, pursuant to Fed. R. Civ. P. 58, the Court Orders and enters Final Judgment as follows:

- Judgment is entered that the '256 Patent, '074 Patent, and '075 Patent are unenforceable due to inequitable conduct for the reasons stated in the Court's Order dated March 17, 2023, ECF 567; and
- Judgment is entered for Tenaris and against Global on Global's claim for attempted monopolization under the Sherman Act, 15 U.S.C. §2, as to which Global shall take nothing.

Considering these judgments, all other pending claims and requests for relief of the parties are moot and dismissed without prejudice. Nothing in this Judgment limits or impacts the rights of the parties, if any, to seek an award of attorney fees and costs in this matter. Issues of cost and fees will be determined after any appeals are concluded.

All other relief not provided above is Denied. This is a Final Judgment.

SIGNED at Houston, Texas, on this the 17th day of May, 2023.



KEITH ELLISON
UNITED STATES DISTRICT JUDGE